

### **REMARKS**

Reconsideration and allowance are respectfully requested.

Claims 1-3 and 5-28 are pending in this application. Claim 4 has been cancelled without prejudice. Claim 28 is new.

The claims have been amended to remove reference numerals and "means" limitations.

Claims 1-6 stand rejected under 35 USC 102(b) as being anticipated by Andrews.

Claim 1 has been amended to include limitations from claim 4. Support for the amendments can be found in the present specification at page 6, line 21 through page 7, line 26 and page 10, line 17 through page 11, line 25. Amended claim 1 requires:

1. (Currently Amended) A system for monitoring and controlling a line ~~(1)~~ manufacturing tobacco products ~~(2)~~, comprising:  
a plurality of production devices and units connected by way of a common interface network ~~(48)~~ to at least one of a respective master control unit and a(82, 83) and/or to visual display means (84), characterized in that it comprises:  
an auxiliary inspection unit ~~(45)~~ associated with the manufacturing line ~~(1)~~; and connected to the network, for receiving tobacco products from at least one of the production devices and units as test samples, for verifying(48) and serving to verify at least one characteristic of the tobacco products (2) taken as test samples and transmitting, by which signals indicative of the at least one characteristic of the tobacco products (2) are transmitted to the network (48);  
a processing and control unit associated with each production device and unit, each processing and control unit connected to the network for receiving the signals as prompts for corrective action; the auxiliary inspection unit thereby forming a feedback control loop with all of the processing and control units such that a corrective action can be applied to each production device and unit on which the at least one characteristic depends.

Andrews does not teach or suggest such a system.

Claim 1 is directed to a system which is able to not only adjust one production device based on one measured characteristic of the tobacco product but to at least indirectly also adjust all other production devices which are influenced by this measured characteristic of the tobacco product. For this purpose, claim 1 requires a common network by which all production devices are interconnected with each other and by which at the same time the auxiliary inspection unit is not only connected to one of the production devices which with the auxiliary inspection unit forms a closed-loop control, but additionally also to all other production devices so that also these other production devices are informed about the measured characteristic of the tobacco product.

During operation of the manufacturing line the auxiliary inspection unit continuously tests samples taken from the production line, and provides at least one signal indicative for at least one characteristic of the sample. Each processing and control unit receives this signal, not just the processing and control unit of the production unit which is responsible for the measured characteristic. Thus, the auxiliary inspection unit forms a closed loop with all of the processing and control units such that a corrective action can be applied to each production device and unit on which the at least one characteristic depends.

In this manner, if the auxiliary inspection unit determines a characteristic which is outside an allowable range, each of the production units are informed of the signal and a corrective action can be applied to each production unit on which the characteristic depends. Thus, it is possible to avoid a readjustment of one of the production units which might cause problems in the other production units. Instead the

actual adjustments of all production units can be taken into account when readjusting the production units responsible for the characteristic measured by the auxiliary inspection unit.

Andrews relates to a method for improving the quality of products produced in a cigarette manufacturing process. In Andrews, selected machine operating parameters of at least one machine of the production line as well as the product being produced are monitored. Samples of the product are automatically obtained and tested for specific quality parameters and the actual test measurements are compared with given values. If the measured values differ from the given values, the operator of the production line is informed by a visual signal about the difference, and solutions are provided to solve or adjust that part of the production line which influences the measured value of the product.

A line manufacturing tobacco products is a very complex arrangement of different production devices and units, the function each of which depends from the function of the other production devices and units. At best, Andrews teaches creating a separate independent feedback control loop between an inspection unit and a respective production device. However, such an approach fails to take into account that each device is directly influenced by the adjustment of all other devices and units on which the measured characteristic depends and fails to consider how the readjustment of one device affects the other devices in the system. Rather, such an approach creates a very high risk of overswing or overshoot of the entire system, whereby readjustment of one device or unit because of an independent feedback control loop can then set off cascading automatic readjustment of other devices on

independent feedback control loops or units are automatically readjusted, so that the entire system starts to adjust and readjust all devices or units on which the measured characteristic depends. This can create a situation where because of the large number of devices being adjusted on their independent feedback control loops, the entire system can become unstable so that the entire line has to be shut down. Thus, a simple automation of the entire line in providing an independent feed-back loop-control for each production device, as taught by Andrews, cannot provide the advantages of the claimed system.

Thus, Andrews does not disclose or suggest 1) a common interface network to which all production units are connected; 2) that each production unit be provided with a processing and control unit; 3) each processing and control unit connected to the network for receiving the signals as prompts for corrective action; 4) the auxiliary inspection unit thereby forming a feedback control loop with all of the processing and control units; 5) such that a corrective action can be applied to each production device and unit on which the at least one characteristic depends

Draghetti relates only to a specific type of testing device and does not cure the deficiencies of Andrews noted above.

For these reasons, claim 1 is believed to be in allowable condition and it is respectfully requested that the rejection of claim 1 be withdrawn.

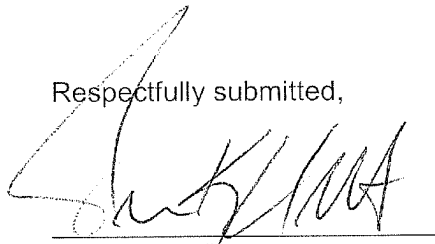
Claims 2, 3 and 5-27 depend from claim 1 and are believed allowable for the same reasons as claim 1.

Claims 10-12 and 14-27 have been indicated as containing allowable subject matter.

New claim 28 includes limitations of original claim 1 and claims 7, 9 and 10,  
and is allowable because of the inclusion of the limitations of claim 10.

In view of the above, it is believed that the application is in condition for  
allowance and such a Notice is respectfully requested. If anything else is needed to  
place the application in condition for allowance, it is kindly requested that the  
undersigned be contacted.

Respectfully submitted,



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